

AMENDED IN SENATE APRIL 12, 2011

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 337**

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**Introduced by Senator Kehoe**

February 15, 2011

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An act to add Section 1940.4 to the Civil Code, relating to tenancy.

LEGISLATIVE COUNSEL'S DIGEST

SB 337, as amended, Kehoe. Tenancy: noncommercial signs.

Existing law regulates the terms and conditions of residential tenancies. Existing law prohibits the governing documents of a common interest development from prohibiting the posting or displaying of noncommercial signs, posters, flags, or banners on or in an owner's separate interest, except as specified.

This bill would prohibit a landlord from prohibiting a tenant from posting or displaying noncommercial signs, posters, flags, or banners on or within any portion of the tenant's dwelling unit, ~~unless the posting or display would violate a local, state, or federal law~~ *except under certain circumstances*.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1940.4 is added to the Civil Code, to
- 2 read:
- 3 1940.4. ~~(a)~~—A landlord shall not prohibit a tenant from posting
- 4 or displaying noncommercial signs, posters, flags, or banners on

1 or within any portion of the tenant's dwelling unit, unless ~~the any~~  
2 *of the following apply:*

3 (a) *The posting or display would violate a local, state, or federal*  
4 *law.*

5 ~~(b) The Legislature finds and declares that this section is~~  
6 ~~declaratory of existing law.~~

7 (b) *The posting or display would violate a provision in the*  
8 *governing document of a common interest development that*  
9 *satisfies the requirements in Section 1353.6.*

10 (c) *The posting or display would violate a provision in the*  
11 *covenants, conditions, and restrictions recorded against the*  
12 *property.*